

REMARKS

Introductory Remarks

Claims 16-20 are currently pending in the application, of which claims 16 and 17 are independent claims. In view of the following Remarks, Applicants respectfully request reconsideration of the pending rejections for the reasons discussed below.

Obviousness Type Double Patenting

Claims 16-20 stand provisionally rejected under the judicially created doctrine of obviousness type double patenting over claim 40 of U.S. Patent Application No. 10/810.899. Claims 16 stands provisionally rejected under the judicially created doctrine of obviousness type double patenting over claim 18 of U.S. Patent Application No. 10/810.840.

Claims 16-20 stand rejected under the judicially created doctrine of obviousness type double patenting over claims 1-4 and 6-10 of U.S. Patent No. 6,656,238; claims 13-18 of U.S. Patent No. 6,749,652; and claims 1-6 and 10 of U.S. Patent No. 6,849,098. The present application and U.S. Patent Application Nos. 10/810,899 and 10/810,840, and U.S. Patent Nos. 6,656,238; 6,749,652; and 6,849,098 are currently commonly owned. Applicant submits a terminal disclaimer with respect to U.S. Patent Application Nos. 10/810,899 and 10/810,840, and U.S. Patent Nos. 6,656,238; and 6,749,652.

With respect to U.S. Patent No. 6,849,098, claims 1-6 and 10 are directed to tooling made from carbon foam that is adapted to make composite parts. Claim 16 is directed to a method for making carbon foam from coal and claim 17 is directed to cellular coal product. Applicant respectfully submits that claims 16-20 are not obvious over claims 1-6 and 10 of U.S. Patent No. 6,849,098. In view of the submitted terminal disclaimers and above remarks, Applicant requests withdrawal of the double patenting rejections.

Extension of Time

A Petition for a three (3)-month extension of time under 37 C.F.R. §1.136(a) is filed herewith. It is not believed that any further extensions of time are required other than those in the accompanying Petition. If extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. §1.136(a). Applicants believe that no further fees for net addition of claims are required at this time. Any fees required for extensions of time and any fees for the net addition of claims are hereby authorized to be charged to Deposit Account No. 503310.

Conclusion

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Should the Examiner feel that there are any issues outstanding after consideration of this Reply, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution.

Respectfully submitted,



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